

*Swindlers, Hucksters and Snake Oil Salesmen:  
The Hype and Hope of Marketing Anti Aging Products to Seniors*

OPENING STATEMENT  
of  
CHAIRMAN BREAUX

Good morning. I would like to thank all of you, especially my fellow members, for attending today's investigative hearing. We will examine the marketing of dietary and specialty supplements that target our nation's elderly. I would also like to thank the Committee's Ranking Member, Senator Larry Craig, for his support throughout this investigation. Finally, and most importantly, I would like to thank the witnesses for being here today. Your testimony will assist the Committee greatly in determining how best to address the vital issues raised today.

I would like to say up front that this hearing will focus on companies that mislead consumers with regard to dietary and specialty supplements. As with any industry, the vast majority of manufacturers and marketers of supplements are reputable and law abiding. It is the bad actors that we are concerned with today.

Supplements are becoming increasingly popular. Today, it is estimated that \$27 billion or more is spent on supplements and that 60% of these consumers are older Americans. Individuals who are both healthy and ill take supplements for a variety of reasons. Some take supplements to increase energy, build muscles or lose weight. While others have begun taking them as alternatives to traditional medicine and escalating prescription drug costs. More and more our nation's seniors are turning to these supplements.

The dietary supplement industry is largely self-regulated. Unlike new prescription and over-the-counter drugs, the law does not require supplements to undergo pre-market approval for safety and efficacy. The current U.S. regulatory system provides little assurance that commercial supplements have predictable pharmacological effects or that product labels provide accurate information. Furthermore, manufacturers of supplements are not required to register with any government agency. This is of great concern to me. Surveys have shown that the use of complementary and alternative medicine in the U.S. increased an amazing 380% between 1990 and 1997. This trend will almost certainly continue as the Baby Boomers draw closer to retirement age and seek out new and different ways to maintain and improve their health. We need to know that the products our seniors are taking are safe and effective. I want to make it clear one more time that we are not here to talk about the science of complementary and alternative medicine, rather we are only looking at the bad apples in the supplement industry; those folks who market misleading and/or ineffective products.

These products are marketed to our seniors in a variety of ways. Not too long ago my wife received in the mail a magazine entitled the *Journal of Longevity*. At first glance it appeared to me to be a scientific journal extolling the virtues of supplements, focusing on those that have alleged "anti-aging" effects. I was drawn in and amazed by the startling new discoveries to slow the aging process, give you more energy, a better sex life and a healthier heart, until I realized that the mailer was simply a fancy advertisement for one company's products. The *Journal of Longevity* appears to simply be a series of articles that discuss health issues that seniors face and then provides a simple solution- the solution being a dietary supplement developed and distributed by the same parent company that publishes the magazine. Some of the articles and advertisements simply prey on the fears of the elderly. While others counsel the readers to take a particular supplement in place of traditional medicine. It really made me start thinking about the marketing tactics of some of these companies and the products they promote.

In an effort to convey the nature of and the methods used by companies that mislead the elderly, today we are going to examine the operations of one of the largest companies that sells so-called anti-aging and other dietary supplements. GB Data Systems, Inc. is the holding company for at least 10 businesses selling dietary supplements. A. Glenn Braswell is the President and owner of GB Data Systems. Gero Vita International and Heathquest Publications which publishes the *Journal of Longevity* are both controlled by GB Data Systems. As I stated earlier, the *Journal of Longevity* that my wife and I received in the mail, is simply an elaborate, somewhat misleading advertising tool that markets several of Gero Vita International's products. I've had the cover of one issue of the *Journal of Longevity* enlarged and as you can see it appears to be a legitimate scientific journal.

I asked my staff to order some of Gero Vita International's products for me. After two attempts, we still have not received them. I do have enlargements of the advertisements for some of these products. First, I have an ad for a product named ACF 223 that claims to be "The Healing Breakthrough of the Century." Maybe the doctors here can tell me if this is true. Next, I have a copy of the cover of the magazine that was sent to my home). Who wouldn't want to "turn back the hands of time" as it appears the woman on the cover has done?

As I stated earlier, some of these ads simply try to scare people into buying the product. This next chart describes the "aging process" as "Being Murdered From Within... One Cell at a Time!" It is for ACF 223 also. This next poster describes a "Brown Slime" developing on brain neurons). The associated article suggests that this "Brown Slime" is a precursor to Alzheimer's Disease. My staff contacted the National Institute on Aging and were told that no such studies have ever or are currently underway that support such a claim. The next poster, an ad for Prostata, suggests that if you don't take this supplement, you'll end up in a hospital bed. Finally, I have some posters of the products that slow the aging process : Gero-Vita G.H.3., Longevity Caps, HGH Activator, and Teston 6. I wonder if these products actually do what these ads claim they do or in fact, if they do anything at all. I sincerely hope someone can give me the answers I'm looking for today.

We're also going to hear about the case of a company called T-Up, Inc. that sold aloe and other products as potential cancer cures. T-Up made all manner of false and misleading claims about the effectiveness of its concentrated aloe and mineral products. This company preyed on the fears of sick and elderly people facing grave illnesses. What I find most appalling is that people died from taking these products.

We've invited several witnesses to testify today. We'll hear first from Michael O'Neal the former Chief Financial Officer of GB Data Systems, Inc. He will explain to us the inner workings of the company and its marketing tactics. We'll also hear from a Mr. E. Vernon F. Glenn, a private practice attorney, who will tell us about some of his clients' dealings with GB Data Systems, Inc.

On our second panel we will have Mr. A. Glenn Braswell, President of GB Data Systems, Inc. and Gero Vita International and Mr. Ron Tepper, Editor, of the *Journal of Longevity*. Both gentlemen are here with their attorneys in compliance with subpoenas issued by the Committee.

The General Accounting Office is here today to release the findings of a report I requested. The report is entitled, "Health Products for Seniors: "Anti-Aging" Products Pose Potential for Physical and Economic Harm." I'm looking forward to hearing what they have to say.

We've also invited experts with extensive background in the area of complementary and alternative medicine, in particular dietary and nutritional supplements, to testify as to the impact, both physically and financially on our nation's elderly. We'll hear from Dr. Joyce Lashof of the University of California at Berkeley School of Public Health's Wellness Letter, along with Dr. Robert S. Baratz and Dr. Timothy

Gorski.

Finally, we've asked the government agencies tasked with monitoring dietary and nutritional supplements and protecting consumers from fraud to be here today to tell us about their efforts and concerns in this area. We have a representative from the Food and Drug Administration, the Federal Trade Commission, the Federal Bureau of Investigation and the Attorney General of the State of Maryland.

Before we get to our witnesses, I would like to recognize Senator Larry Craig for his opening statement.